

## **EXHIBIT 17**

### **Receiver Transition Report - Four Points Sheraton**

## Transition Report

Property: 4 Points Saginaw  
 Address 4960 Crown Centre Road  
 Start date of transition: August 7, 2009

### SUBJECT PROPERTY

The subject property is a 142-room Sheraton Four Points hotel located in Saginaw Michigan. Originally built in 1981, the property was renovated in 2005-06. The renovation included the replacement of furniture, guestroom carpet and wall vinyl, some courtyard improvements and 60 new PTAC units. The property has 4228 sq/ feet of usable banquet space, which together with the restaurant is finishing up a ten-year lease with its tenant, Damon's Restaurant. The frontage for the hotel shares signage space with Damon's Restaurant. The hotel is situated in a suburban area with a metropolitan population of approximately 187,000. Current economic growth in the area is relatively stable after the large contraction in the automotive industry which closed a handful of manufacturing plants in the area.

### INITIAL OBSERVATIONS ON TAKEOVER

#### MANAGEMENT AND ACCOUNTING

On August 7, 2009, Hostmark Hospitality Group became the Court appointed Receiver for the property. Present at the property for Hostmark on that day was, Tom Schulz and Derek McElroy to oversee operations, Ida Pesce-Figueroa to observe sales and marketing, and Timir Mehta to oversee financial reporting and accounting-related issues.

Hostmark was informed that the property was operating without an independent management company qualified by the lender or the franchise company since its previous management company terminated its agreement with the owners on February 28, 2009. The General Manager is also the Area Manager for the Holiday Inn Express across the street. The operation was staffed at the most minimal levels with the sales manager working several shifts a week at the front desk to ensure desk coverage. A franchise inspection conducted on May 28<sup>th</sup> to May 30<sup>th</sup> of this year indicated shortfalls in Welfare and Security, Conditions and Cleanliness (see Exhibit A).

Upon Hostmark's arrival, it was discovered that an accounting or payroll service was not being utilized to generate monthly financials or to process payroll. The staff at this property performed rudimentary accounting and payroll functions through the use of Quickbooks for itself as well as the Holiday Inn Express across the street. The hotel has not produced any detailed financial statements since previous management resigned its position because of concerns of not having adequate funding by owners to meet payroll requirements.

An inspection of the information posted to Quickbooks concluded that the information was not properly recorded and/or identified. Accounting functions are being handled by hotel personnel who have no background in bookkeeping. Hence, any resulting reports cannot be relied upon to accurately present the financial position of the hotel. However, further investigation of this issue will need to be undertaken as the time did not allow for a full and complete audit of the register entries. It is evident, however, that financial reporting was not performed according to

Uniform System of Accounts for the Lodging Industry or GAAP. Like the Holiday Inn Express across the street, there were no controls, procedures or mechanisms in place for house banks, inventory of supplies or master keys. Hostmark's transition team implemented an inventory system that would track usage and secure materials. A master key system was instituted to account for all master keys in use, and procedures were set forth for house banks. New bank accounts were also opened to cover payroll and operating expenses. Hostmark is currently administering payroll and has placed the property on the Hostmark financial reporting system.

An inspection of the accounting records at the Hotel shows that Ownership distributed to the Owners \$200,000.00 in 2008 and \$140,000.00 in 2007 (see Exhibit B). This was surprising since Owners had implemented cost cutting systems in 2009, which were negatively impacting the hotel room cleanliness and sales efforts and therefore the gross operating revenues. The 2008 distribution was particularly surprising in light of the net profit for 2008 being negative \$134,740.00 (see Accounting Issues).

At the time of the take-over the financial condition of the Four Points by Sheraton was a minus \$198,446.73 (see Accounting Issues).

#### SALES AND MARKETING

As earlier stated, the property's Sales Manager and Director of Sales have been covering shifts at the front desk since personnel have been severely cut back to save on wages. This is in part the reason that 2009 revenue is down both actual and projected by \$411,633.00 for calendar year 2009.

The property's YTD occupancy is 60.70% down 6.3% from last year, and its average daily rate is \$74.08, which is down \$2.95 from the previous year. The Director of Sales covers this property as well as the Holiday Inn Express across the street with virtually no staff. She has been handling all markets for both properties, which may have caused a number of missed opportunities. RevPar decreased over 23% in the second quarter of this year due primarily to a drop in occupancy (see Exhibit C). There is a Sales Manager who spends the majority of his time at the Holiday Inn Express, but also filled in at the front desk when needed. The transition team was able to restructure schedules that allowed him to concentrate on sales 100% of the time. He will require a great deal of training from the Director of Sales, but he appears to be excited about the opportunity to learn and produce. Although the General Manager comes from a sales background, there appears to be so much more that can be done with integrated marketing and leveraging the brand. After the introduction to Hostmark's proprietary sales programs, the Director of Sales was encouraged to reach out to Starwood to work on field marketing and promotions, something that was never done before.

The property currently offers a complimentary breakfast as part of the room rate primarily to compete with other hotels in the area. This service is not mandated by the brand and in many ways works to the detriment of the property. The continental breakfast, which is poorly presented, is serviced by Damon's Restaurant and is the focus of many complaints. A cursory inspection of the restaurant bore concerns about old and dirty equipment that could be cause for health code violations. Damon's is also responsible for room service, which the property is mandated to offer. The restaurant charges the hotel \$3.10 per occupied room for breakfast regardless of its occupancy (single or double). Since the hotel does not operate any food and beverage outlets, the hotel must obtain permission from the tenant, Damons, before it can book any of the 4200+ sq. feet of banquet/meeting space. The property has had a long and difficult relationship with Damon's and, as such, has not deployed much of a sales effort towards catering

that would service group business and social events. The potential for revenue in this segment is considerable, however, it has failed to produce due most in part to the acrimonious relationship and poor level of service the restaurant delivers. The lease for Damon's space is to expire in April of 2010.

#### PHYSICAL PLANT ISSUES:

The property was built in 1981 and went through a renovation in 2005. It has been a leader in the market for most of its 28 years, having been constructed just after the local mall was built and having the local population grow up with the property through its various brands. However, inconsistent renovations throughout the years have caused a number of deferred maintenance issues which, unfortunately, require immediate attention. They include:

- Repair or replacement of a 5-ton HVAC unit for the hallways which has been inoperable for 20+ years. This has caused the hallways to smell musty and make them uncomfortably cold or hot during spells of extreme weather;
- 30 exterior walls to guestrooms suffer from on-going mildew issues, of which 12 are in seriously poor condition. This is being caused by water penetrating deteriorated caulking around the windows. Instead of replacing the walls they were covered with paint and wall vinyl;
- 68 of guestroom windows contain condensation between double paned glass;
- 25 tub and tile surrounds require immediate replacing due to an earlier porcelain application which failed and has resulted in flaking;
- Replacement of laminate panels and carpeting in the elevators;
- High rise signage needs repairing as all but one bulb is working;
- 6 Guestroom doors need replacing; and
- Drainage requires repair in the parking lot behind hotel and entrance to the banquet hall; the area floods to a depth that has stalled cars in the past.

Other property concerns that will require consideration in the near future consist of:

- 81 PTAC units that are coming to the end of their useful life. Failure to replace these units will probably result in higher than necessary energy costs;
- Current patchwork needed in the parking lot which will eventually require resealing within the next year;
- Interior pool walls are crumbling and will need re-surfacing within the year;
- 12 tables and chairs on the pool deck needed for additional sellable space; and
- Hallway carpets will need replacing due to wear and lack of ventilation.

Brand mandated concerns involve:

- 148 32-inch flat screen Philips television with mounts and remotes needed;
- 12 beds currently not meeting Sheraton standards;
- HVAC units requiring replacement soon ;
- HVAC units required for meeting rooms;
- Updating of public restrooms;
- Weather stripping and caulking around all windows; and
- Furniture recently purchased is of residential grade and not specified to Sheraton standards (116 ottomans, 116 chairs and 16 sofa sleepers).

LIFE SAFETY ISSUES:

Storage problems existed that were in direct violation of fire codes and have been corrected. The majority of the storage closets were not maintained or organized properly, which in many cases were fire hazards. To date, all of these items have been removed and organized into areas far removed from heat sources.

OPERATIONAL ORGANIZATION:

Michelle Murlick is the General Manager for the property and is the Area Manager for the Holiday Inn Express across the street. She comes from a background in sales and was promoted to her current position nearly three years ago. Her strength is in sales and her involvement within the community. She sits on or is associated with a number of local boards and civic organizations within the community. As a native of Saginaw, she is well liked, respected and well known throughout the community.

## ACCOUNTING ISSUES

## Financial condition at takeover:

Cash on Hand	2,300.00
<i>Accounts Receivables</i>	
Guest Ledger	9,013.74
City Ledger	79,759.54
Cash in Bank	73,502.58
<b>Total Current Assets</b>	<b>164,575.86</b>

## Liabilities:

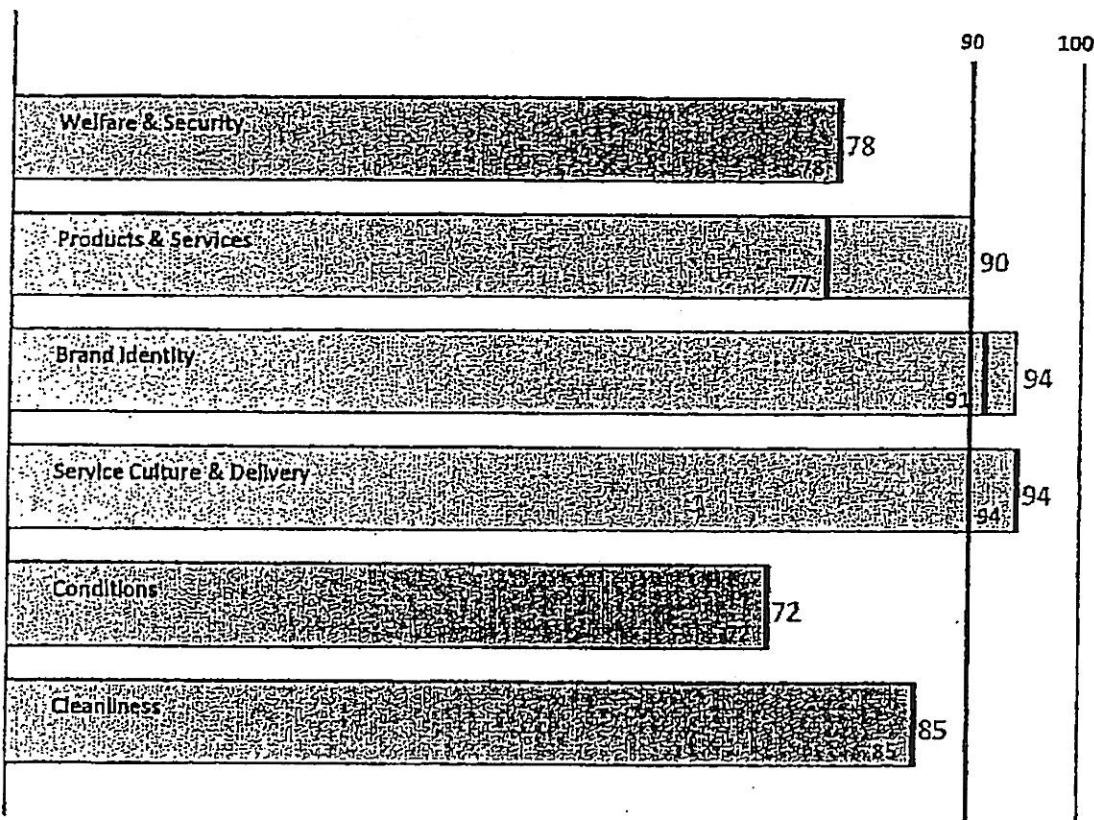
Advance Deposits	516.23
<i>Accounts Payable</i>	
Misc Payables	83,585.76
Franchise Fees - July	23,192.30
Taxes - Sales & PR - July	25,225.33
Property Taxes	162,502.26
Payroll p/e 7/31	294,505.65
Payroll est 8/1 - 8/6	24,533.71
Capital (Outdoor Signage)	11,271.50
<b>Total Current Liabilities</b>	<b>363,022.59</b>

<b>Working Capital</b>	<b><u>(198,446.73)</u></b>
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## Exhibit A

### Summary for Four Points by Sheraton Saginaw

**View History** 1. Select Inspection 2. Click  to Select a Historical Date



### Inspection Information

Dates of Stay: 28 May 2009-30 May 2009

Inspector Name: Marc Reymann

PIPs Entered: N

**SAGINAW 4-POINTS SHERATON**  
**Balance Sheet**  
**For the Month Ended December 31, 2008**

	<u>12/31/08</u>	<u>11/30/2008</u>	<u>12/31/07</u>
<b>Current Liabilities</b>			
Accounts Payable	205,808	106,611	155,610
Advanced Deposit			
Accrued Payroll & Expenses	22,420	16,049	17,566
Accrued General Liability			
Accrued Workmans Compensation			
Accrued Expenses	42,997	28,641	26,908
Accrued Interest	28,897	28,897	28,897
IBNR Reserve			
Financial Instruments Payable			
Deferred Revenue			
Accrued Vacation	17,641	17,223	15,444
Accrued Utilities	4,568	8,715	17,078
Accrued Property Tax			
Sales Tax Payable	<u>36,001</u>	<u>30,078</u>	<u>39,843</u>
<b>Total Current Liabilities</b>	<u>358,332</u>	<u>236,214</u>	<u>301,346</u>
<b>Long-Term Debt</b>			
Long Term Debt			
Loan Payable - Hotel	5,430,000	5,430,000	5,430,000
Loan Payable - NOMURA			
Notes Payable	<u>30,000</u>	<u>30,000</u>	<u>30,000</u>
<b>Total Long-Term Debt</b>	<u>5,460,000</u>	<u>5,460,000</u>	<u>5,430,000</u>
<b>Long-Term Liability</b>			
Deferred Income			
<b>Partners Capital</b>			
Capital	2,816,226	2,816,226	2,816,226
Distribution	(200,000)	(200,000)	(140,000)
Other Comprehensive Income			
Income Year To Date	<u>(38,799)</u>	<u>9,217</u>	<u></u>
<b>Total Capital</b>	<u>2,577,427</u>	<u>2,625,444</u>	<u>2,676,226</u>
<b>Total Liab &amp; Capital</b>	<u><b>\$8,395,760</b></u>	<u><b>\$8,321,658</b></u>	<u><b>\$8,407,572</b></u>

